

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Frank Arthur McKinney

Case: 2:21-mj-30212

Assigned To : Unassigned

Assign. Date : 5/5/2021

Case No.

Description: U.S. V. FRANK
ARTHUR MCKINNEY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 26, 2020 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*Special Agent Christopher Loperfido, A.T.F.*Printed name and title*Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: May 5, 2021City and state: Detroit, Michigan*Judge's signature*Hon. Kimberly Altman, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Christopher Loperfido, being duly sworn, do hereby state the following:

I. INTRODUCTION

1. I am a Special Agent, with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) United States Department of Justice, and have been so employed since December of 2018. Prior to becoming a Special Agent with the ATF, I was a United States Border Patrol Agent for nine years in Texas and Washington State. I am currently assigned to the ATF Detroit Field Division. I completed the Criminal Investigator Training Program and the ATF Special Agent Basic Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training on firearms identification, common scenarios involving firearms and narcotics trafficking, and the identification and effects of controlled substances. Additionally, I received training on undercover investigations related to firearms and narcotics trafficking, which included investigative techniques and common subject behavior.

2. During the course of my employment with ATF, I have assisted with investigating criminal violations relating to firearms, violent crime, and narcotics. I have participated in aspects of criminal investigations, including, but not limited to, interviews, physical surveillance, and the execution of search warrants. I am familiar

with, and have participated in investigative methods, including, but not limited to, electronic surveillance, visual surveillance, search warrants, and confidential informants.

3. The statements contained in this affidavit are based on conversations with other law enforcement officers, a review of relevant police reports, and my involvement in this investigation. This affidavit does not include all facts known to law enforcement related to this investigation. This affidavit provides information necessary to establish probable cause that Frank Arthur MCKINNEY violated 18 U.S.C. § 922(g)(1), felon in possession of a firearm.

II. PROBABLE CAUSE

4. On December 26, 2020, at approximately 7:45 p.m., Detroit Police Department (DPD) Officers responded to 19323 Hoover Street, Detroit, for a domestic violence run. Upon arrival, officers observed the front door of the residence open, and screaming coming from inside the house. A female occupant came down the stairs and informed officers an individual had a gun in his hand, and three women were on him.

5. Officers went up to the second story rear bedroom and observed a group of females on top of an individual, later identified as Frank Arthur MCKINNEY. MCKINNEY was lying face down on a mattress against a wall. One of the females advised officers MCKINNEY had a revolver, which was located in his right hand.

6. The females were ordered off MCKINNEY, and he was placed into handcuffs. Officers recovered a firearm, which was located underneath MCKINNEY, between the mattress and the wall.

7. The firearm was identified as a Charter Arms, model Undercover, .38 caliber revolver, bearing serial number: 1689. The firearm contained two (2) rounds of ammunition and two (2) spent .38 caliber casings on the right side of the hammer.

8. MCKINNEY was arrested without incident and conveyed to the Detroit Detention Center for processing.

9. I reviewed MCKINNEY's Computerized Criminal History (CCH), and it revealed the following felony convictions for MCKINNEY:

- a. June 1993 – Felony Armed Robbery
- b. November 2003 – Felony Larceny From The Person
- c. October 2005 – Felony Larceny-\$1000 Or More But Less Than \$20,000
- d. March 2008 – Felony Child Support-Failing To Pay
- e. November 2017 – Felony Controlled Substance-Deliver/Manufacture Marijuana/Synthetic Equivalents

10. On January 29, 2021, I contacted ATF interstate nexus expert Special Agent Shannon Richardson who reported that the Charter Arms, model Undercover, .38 caliber revolver, bearing serial number: 1689 recovered from

MCKINNEY was manufactured outside the state of Michigan, and therefore had traveled in and affected interstate commerce.

III. CONCLUSION

11. Based on the foregoing, probable cause exists that Frank Arthur MCKINNEY, a convicted felon, did knowingly and intentionally possess a firearm in the City of Detroit, Eastern District of Michigan, said firearm having travelled in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm.



Christopher Loperfido
Special Agent, ATF

Sworn to before me and signed in my presence and/or by reliable electronic means.



HONORABLE KIMBERLY ALTMAN
UNITED STATES MAGISTRATE JUDGE

May 5, 2021